

Introduced by Senator Ashburn

February 22, 2005

An act to amend Section 30061 of the Government Code, relating to law enforcement funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 732, as introduced, Ashburn. Law enforcement funding: districts.

Existing law includes specified districts in San Mateo, Kern, Siskiyou, and Contra Costa Counties within provisions allocating supplemental law enforcement funds to various local jurisdictions.

This bill would revise the specification of districts that qualify to receive that supplemental law enforcement funding.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 30061 of the Government Code is
2 amended to read:
3 30061. (a) (1) *As used in this section, "district" means a*
4 *district described and named in Section 53060.7.*
5 (2) There shall be established in each county treasury a
6 Supplemental Law Enforcement Services Fund (SLESF), to
7 receive all amounts allocated to a county for purposes of
8 implementing this chapter.
9 (b) In any fiscal year for which a county receives moneys to be
10 expended for the implementation of this chapter, the county
11 auditor shall allocate moneys in the county's SLESF, including
12 any interest or other return earned on the investment of those

1 moneys, within 30 days of the deposit of those moneys into the
2 fund, and shall allocate those moneys in accordance with the
3 requirements set forth in this subdivision. However, the auditor
4 shall not transfer those moneys to a recipient agency until the
5 Supplemental Law Enforcement Oversight Committee certifies
6 receipt of an approved expenditure plan from the governing
7 board of that agency.

8 (1) Five and fifteen one hundredths percent to the county
9 sheriff for county jail construction and operation. In the case of
10 Madera, Napa, and Santa Clara Counties, this allocation shall be
11 made to the county director or chief of corrections.

12 (2) Five and fifteen one hundredths percent to the district
13 attorney for criminal prosecution.

14 (3) Thirty-nine and seven tenths percent to the county and the
15 cities *and districts* within the county, ~~and, in the case of San~~
16 ~~Mateo, Kern, Siskiyou, and Contra Costa Counties, also to the~~
17 ~~Broadmoor Police Protection District, the Bear Valley~~
18 ~~Community Services District, the Stallion Springs Community~~
19 ~~Services District, the Lake Shastina Community Services~~
20 ~~District, and the Kensington Police Protection and Community~~
21 ~~Services District,~~ in accordance with the relative population of
22 the cities *and districts* within the county and the unincorporated
23 area of the county, ~~and the Broadmoor Police Protection District~~
24 ~~in the County of San Mateo, the Bear Valley Community~~
25 ~~Services District and the Stallion Springs Community Services~~
26 ~~District in Kern County, the Lake Shastina Community Services~~
27 ~~District in Siskiyou County, and the Kensington Police~~
28 ~~Protection and Community Services District in Contra Costa~~
29 ~~County,~~ as specified in the most recent January estimate by the
30 population research unit of the Department of Finance, and as
31 adjusted to provide a grant of at least one hundred thousand
32 dollars (\$100,000) to each law enforcement jurisdiction. For a
33 newly incorporated city whose population estimate is not
34 published by the Department of Finance, but that was
35 incorporated prior to July 1 of the fiscal year in which an
36 allocation from the SLESF is to be made, the city manager, or an
37 appointee of the legislative body, if a city manager is not
38 available, and the county administrative or executive officer shall
39 prepare a joint notification to the Department of Finance and the
40 county auditor with a population estimate reduction of the

1 unincorporated area of the county equal to the population of the
2 newly incorporated city by July 15, or within 15 days after the
3 Budget Act is enacted, of the fiscal year in which an allocation
4 from the SLESF is to be made. No person residing within the
5 ~~Broadmoor Police Protection District, the Bear Valley~~
6 ~~Community Services District, the Stallion Springs Community~~
7 ~~Services District, the Lake Shastina Community Services~~
8 ~~District, or the Kensington Police Protection and Community~~
9 ~~Services District~~ a district shall also be counted as residing
10 within the unincorporated area of the ~~County of San Mateo,~~
11 ~~Kern, Siskiyou, or Contra Costa county,~~ or within any city located
12 ~~within those counties.~~ The county auditor shall allocate a grant of
13 at least one hundred thousand dollars (\$100,000) to each law
14 enforcement jurisdiction. Moneys allocated to the county
15 pursuant to this subdivision shall be retained in the county
16 SLESF, and moneys allocated to a city pursuant to this
17 subdivision shall be deposited in a SLESF established in the city
18 treasury.

19 (4) Fifty percent to the county or city and county to implement
20 a comprehensive multiagency juvenile justice plan as provided in
21 this paragraph and to the Board of Corrections for administrative
22 purposes. Funding for the Board of Corrections, as determined by
23 the Department of Finance, shall not exceed two hundred
24 seventy-five thousand dollars (\$275,000). For the 2003–04 fiscal
25 year, of the two hundred seventy-five thousand dollars
26 (\$275,000), up to one hundred seventy-six thousand dollars
27 (\$176,000) may be used for juvenile facility inspections. The
28 juvenile justice plan shall be developed by the local juvenile
29 justice coordinating council in each county and city and county
30 with the membership described in Section 749.22 of the Welfare
31 and Institutions Code. If a plan has been previously approved by
32 the Board of Corrections, the plan shall be reviewed and
33 modified annually by the council. The plan or modified plan shall
34 be approved by the county board of supervisors, and in the case
35 of a city and county, the plan shall also be approved by the
36 mayor. The plan or modified plan shall be submitted to the Board
37 of Corrections by May 1, 2002, and annually thereafter.

38 (A) Juvenile justice plans shall include, but not be limited to,
39 all of the following components:

1 (i) An assessment of existing law enforcement, probation,
2 education, mental health, health, social services, drug and
3 alcohol, and youth services resources that specifically target
4 at-risk juveniles, juvenile offenders, and their families.

5 (ii) An identification and prioritization of the neighborhoods,
6 schools, and other areas in the community that face a significant
7 public safety risk from juvenile crime, such as gang activity,
8 daylight burglary, late-night robbery, vandalism, truancy,
9 controlled substances sales, firearm-related violence, and
10 juvenile substance abuse and alcohol use.

11 (iii) A local juvenile justice action strategy that provides for a
12 continuum of responses to juvenile crime and delinquency and
13 demonstrates a collaborative and integrated approach for
14 implementing a system of swift, certain, and graduated responses
15 for at-risk youth and juvenile offenders.

16 (iv) Programs identified in clause (iii) that are proposed to be
17 funded pursuant to this subparagraph, including the projected
18 amount of funding for each program.

19 (B) Programs proposed to be funded shall satisfy all of the
20 following requirements:

21 (i) Be based on programs and approaches that have been
22 demonstrated to be effective in reducing delinquency and
23 addressing juvenile crime for any elements of response to
24 juvenile crime and delinquency, including prevention,
25 intervention, suppression, and incapacitation.

26 (ii) Collaborate and integrate services of all the resources set
27 forth in clause (i) of subparagraph (A), to the extent appropriate.

28 (iii) Employ information sharing systems to ensure that county
29 actions are fully coordinated, and designed to provide data for
30 measuring the success of juvenile justice programs and strategies.

31 (iv) Adopt goals related to the outcome measures that shall be
32 used to determine the effectiveness of the local juvenile justice
33 action strategy.

34 (C) The plan shall also identify the specific objectives of the
35 programs proposed for funding and specified outcome measures
36 to determine the effectiveness of the programs and an accounting
37 for all program participants, including those who do not complete
38 the programs. Outcome measures of the programs proposed to be
39 funded shall include, but not be limited to, all of the following:

40 (i) The rate of juvenile arrests per 100,000 population.

1 (ii) The rate of successful completion of probation.

2 (iii) The rate of successful completion of restitution and
3 court-ordered community service responsibilities.

4 (iv) Arrest, incarceration, and probation violation rates of
5 program participants.

6 (v) Quantification of the annual per capita costs of the
7 program.

8 (D) The Board of Corrections shall review plans or modified
9 plans submitted pursuant to this paragraph within 30 days upon
10 receipt of submitted or resubmitted plans or modified plans. The
11 board shall approve only those plans or modified plans that fulfill
12 the requirements of this paragraph, and shall advise a submitting
13 county or city and county immediately upon the approval of its
14 plan or modified plan. The board shall offer, and provide if
15 requested, technical assistance to any county or city and county
16 that submits a plan or modified plan not in compliance with the
17 requirements of this paragraph. The SLESF shall only allocate
18 funding pursuant to this paragraph upon notification from the
19 board that a plan or modified plan has been approved.

20 (E) To assess the effectiveness of programs funded pursuant to
21 this paragraph using the program outcome criteria specified in
22 subparagraph (C), the following periodic reports shall be
23 submitted:

24 (i) Each county or city and county shall report, beginning
25 October 15, 2002, and annually each October 15 thereafter, to the
26 county board of supervisors and the Board of Corrections, in a
27 format specified by the Board of Corrections, on the programs
28 funded pursuant to this chapter and program outcomes as
29 specified in subparagraph (C).

30 (ii) The Board of Corrections shall compile the local reports
31 and, by March 15, 2003, and annually thereafter, make a report to
32 the Governor and the Legislature on program expenditures within
33 each county and city and county from the appropriation for the
34 purposes of this paragraph, on the outcomes as specified in
35 subparagraph (C) of the programs funded pursuant to this
36 paragraph and the statewide effectiveness of the comprehensive
37 multiagency juvenile justice plans.

38 (c) Subject to subdivision (d), for each fiscal year in which the
39 county, *and* each city, ~~the Broadmoor Police Protection District,~~
40 ~~the Bear Valley Community Services District, the Stallion~~

~~Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District, and district~~ receive moneys pursuant to paragraph (3) of subdivision (b), the county, each city, and each district ~~specified in this subdivision~~ shall appropriate those moneys in accordance with the following procedures:

(1) In the case of the county, the county board of supervisors shall appropriate existing and anticipated moneys exclusively to provide frontline law enforcement services, other than those services specified in paragraphs (1) and (2) of subdivision (b), in the unincorporated areas of the county, in response to written requests submitted to the board by the county sheriff and the district attorney. Any request submitted pursuant to this paragraph shall specify the frontline law enforcement needs of the requesting entity, and those personnel, equipment, and programs that are necessary to meet those needs. The board shall, at a public hearing held at a time determined by the board in each year that the Legislature appropriates funds for purposes of this chapter, or within 30 days after a request by a recipient agency for a hearing if the funds have been received by the county from the state prior to that request, consider and determine each submitted request within 60 days of receipt, pursuant to the decision of a majority of a quorum present. The board shall consider these written requests separate and apart from the process applicable to proposed allocations of the county general fund.

(2) In the case of a city, the city council shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief of police of that city or the chief administrator of the law enforcement agency that provides police services for that city. These written requests shall be acted upon by the city council in the same manner as specified in paragraph (1) for county appropriations.

~~(3) In the case of the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington~~

~~Police Protection and Community Services District within Contra Costa County~~ *a district*, the legislative body of that ~~special~~ district shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief administrator of the law enforcement agency that provides police services for that ~~special~~ district. These written requests shall be acted upon by the legislative body in the same manner specified in paragraph (1) for county appropriations.

(d) For each fiscal year in which the county, a city, or ~~the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County~~ *a district* receives any moneys pursuant to this chapter, in no event shall the governing body of any of those recipient agencies subsequently alter any previous, valid appropriation by that body, for that same fiscal year, of moneys allocated to the county or city pursuant to paragraph (3) of subdivision (b).

(e) Funds received pursuant to subdivision (b) shall be expended or encumbered in accordance with this chapter no later than June 30 of the following fiscal year. A local agency that has not met this requirement shall remit unspent SLESF moneys to the Controller for deposit into the General Fund.

(f) If a county, a city, a city and county, or a qualifying ~~special~~ district does not comply with the requirements of this chapter to receive an SLESF allocation, the Controller shall revert those funds to the General Fund.